

CUSTODY, NRESTRAINT,

**U.S. District Court
District of Oregon (Portland (3))
CRIMINAL DOCKET FOR CASE #: 3:21-mj-00146 All Defendants**

Case title: USA v. Fernandez

Date Filed: 07/28/2021

Other court case number: 1:21-cr-00412-JSR USDC,
Southern District of New York

Date Terminated: 07/28/2021

Assigned to: Unassigned

Defendant (1)

Alvin Fernandez

TERMINATED: 07/28/2021

also known as

A.I.P

TERMINATED: 07/28/2021

represented by **Alison M. Clark**

Office of the Federal Public Defender

101 SW Main Street

Suite 1700

Portland, OR 97204

503-326-2123

Fax: 503-326-5524

Email: alison_clark@fd.org

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

*Designation: Public Defender or Community
Defender Appointment*

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Terminated Counts

None

Disposition

**Highest Offense Level
(Terminated)**

None

Complaints

Southern District of New York
Count 1 – 21:846 Narcotics
Conspiracy; Count 2 –
18:924(c)(1)(A)(i) and 2–
Possession of a Firearm During a

Disposition

Drug Trafficking;

Plaintiff

USA

represented by **Jaclyn Jean Jenkins**
 DOJ–USAO
 1000 SW 3rd Ave.
 Ste 600
 Portland, OR 97204
 503–727–1060
 Email: jaclyn.jenkins@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Email All Attorneys

Date Filed	#	Page	Docket Text
07/28/2021	<u>1</u>		Documents Received From USDC, Southern District of New York as to Alvin Fernandez Case No: 1:21–cr–00412–JSR (sss) (Additional attachment(s) added on 7/28/2021: # <u>1</u> Superseding Indictment NY, # <u>2</u> Warrant – NY) (sss). (Entered: 07/28/2021)
07/28/2021	2		Minutes of Proceedings: Initial Appearance pursuant to Rule 5(c)(3) for Arrest in this District Offense in Another. Proceedings before Magistrate Judge Jolie A. Russo as to Alvin Fernandez held 7/28/21. Proceedings conducted via video–conferencing. Defendant verbally consents to appearance by video–conference. Order Appointing Counsel: Alison M. Clark. Defendant advised of rights. Defendant waived preliminary/identity hearing in this district. Order: Defendant committed to the S. Dist./NY at NYC for further proceedings. Counsel Present for Plaintiff: Jaclyn Jenkins. Counsel Present for Defendant: Alison Clark. Restraint Order: NR. (Court Reporter: Kellie Humiston) (gm) (Entered: 07/28/2021)
07/28/2021	<u>3</u>		Waiver of Preliminary Examination or Hearing pursuant to Rule 5 & 5.1 by Alvin Fernandez (sss) (Entered: 07/28/2021)
07/28/2021	<u>4</u>		Commitment to Another District as to Alvin Fernandez. Defendant committed to District of Southern District of New York. Original and two certified copies forwarded to U.S. Marshal on 7/28/2021. (sss) (Entered: 07/28/2021)

3:21-mj-00146

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v.-

JEVAUN CHARLES,
a/k/a "Bobby,"
a/k/a "O'Melly,"
ALYSHA BELTRE,
a/k/a "Ally Racks,"
DEURI CARAMBOT,
a/k/a "Kenny,"
a/k/a "Ralphy,"
SHAKUR CULBERT,
a/k/a "Chase,"
ALVIN FERNANDEZ,
a/k/a "Al.P.,"
JASON GONZALEZ,
a/k/a "Why,"
MALCOLM RIVERA,
a/k/a "Boyy,"
MIKE SILVA,
a/k/a "Cuba,"
DANIEL SILVA,
MAXWELL SMITH,
a/k/a "Max,"
a/k/a "Max Payne,"
MARLON WATSON,
a/k/a "Menace,"
a/k/a "Tega,"
a/k/a "Black,"
a/k/a "King," and
KEWAANNEE WILLIAMS,
a/k/a "Kay,"
a/k/a "Keys,"

Defendants.

SEALED
INDICTMENT

21 Cr.

21 CRIM 412

COUNT ONE
(Narcotics Conspiracy)

The Grand Jury charges:

1. From at least in or about 2010, up to and including June 2021, in the Southern District of New York and elsewhere, JEVAUN CHARLES, a/k/a "Bobby," a/k/a "O'Melly," ALYSHA BELTRE, a/k/a "Ally Racks," DEURI CARAMBOT, a/k/a "Kenny," a/k/a "Ralphy," SHAKUR CULBERT, a/k/a "Chase," ALVIN FERNANDEZ, a/k/a "Al.P," JASON GONZALEZ, a/k/a "Why," MALCOLM RIVERA, a/k/a "Boyy," MIKE SILVA, a/k/a "Cuba," DANIEL SILVA, MAXWELL SMITH, a/k/a "Max," a/k/a "Max Payne," MARLON WATSON, a/k/a "Menace," a/k/a "Tega," a/k/a "Black," a/k/a "King," and KEWAANNEE WILLIAMS, a/k/a "Kay," a/k/a "Keys," the defendants, and others known and unknown, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that JEVAUN CHARLES, a/k/a "Bobby," a/k/a "O'Melly," ALYSHA BELTRE, a/k/a "Ally Racks," DEURI CARAMBOT, a/k/a "Kenny," a/k/a "Ralphy," SHAKUR CULBERT, a/k/a "Chase," ALVIN FERNANDEZ, a/k/a "Al.P," JASON GONZALEZ, a/k/a "Why," MALCOLM RIVERA, a/k/a "Boyy," MIKE SILVA, a/k/a "Cuba," DANIEL SILVA, MAXWELL SMITH, a/k/a "Max," a/k/a "Max Payne," MARLON WATSON, a/k/a "Menace," a/k/a "Tega," a/k/a "Black," a/k/a "King," and KEWAANNEE

WILLIAMS, a/k/a "Kay," a/k/a "Keys," the defendants, and others known and unknown, would and did distribute and possess with intent to distribute controlled substances, in violation of Title 21, United States Code, Section 841(a)(1).

3. The controlled substances that JEVAUN CHARLES, a/k/a "Bobby," a/k/a "O'Melly," ALYSHA BELTRE, a/k/a "Ally Racks," DEURI CARAMBOT, a/k/a "Kenny," a/k/a "Ralphy," SHAKUR CULBERT, a/k/a "Chase," ALVIN FERNANDEZ, a/k/a "Al.P," JASON GONZALEZ, a/k/a "Why," MALCOLM RIVERA, a/k/a "Boyy," MIKE SILVA, a/k/a "Cuba," DANIEL SILVA, MAXWELL SMITH, a/k/a "Max," a/k/a "Max Payne," MARLON WATSON, a/k/a "Menace," a/k/a "Tega," a/k/a "Black," a/k/a "King," and KEWAANNEE WILLIAMS, a/k/a "Kay," a/k/a "Keys," the defendants, conspired to distribute and possess with intent to distribute were: (i) 280 grams and more of mixtures and substances containing a detectable amount of cocaine base in a form commonly known as "crack cocaine," in violation of Title 21, United States Code, Section 841(b)(1)(A); (ii) mixtures and substances containing a detectable amount of heroin, in violation of Title 21, United States Code, Section 841(b)(1)(C); and (iii) mixtures and substances containing a detectable amount of fentanyl, in violation of Title 21, United States Code, Section 841(b)(1)(C).

(Title 21, United States Code, Section 846.)

COUNT TWO
(Possession of a Firearm During a Drug Trafficking Crime)

The Grand Jury further charges:

4. Between in or about 2010 and June 2021, in the Southern District of New York and elsewhere, JEVAUN CHARLES, a/k/a "Bobby," a/k/a "O'Melly," ALYSHA BELTRE, a/k/a "Ally Racks," DEURI CARAMBOT, a/k/a "Kenny," a/k/a "Ralphy," SHAKUR CULBERT, a/k/a "Chase," ALVIN FERNANDEZ, a/k/a "Al.P," JASON GONZALEZ, a/k/a "Why," MALCOLM RIVERA, a/k/a "Boyy," MIKE SILVA, a/k/a "Cuba," DANIEL SILVA, MAXWELL SMITH, a/k/a "Max," a/k/a "Max Payne," MARLON WATSON, a/k/a "Menace," a/k/a "Tega," a/k/a "Black," a/k/a "King," and KEWAANNEE WILLIAMS, a/k/a "Kay," a/k/a "Keys," the defendants, during and in relation to a drug trafficking offense for which they may be prosecuted in a court of the United States, namely, the conspiracy to distribute and possess with intent to distribute controlled substances as charged in Count One of this Indictment, knowingly did use and carry a firearm, and in furtherance of such drug trafficking offense, did possess a firearm, and did aid and abet the use, carrying, and possession of a firearm.

(Title 18, United States Code, Sections 924(c)(1)(A)(i) and 2.)

FORFEITURE ALLEGATIONS

5. As a result of committing the offense charged in Count One of this Indictment, JEVAUN CHARLES, a/k/a "Bobby," a/k/a

"O'Melly," ALYSHA BELTRE, a/k/a "Ally Racks," DEURI CARAMBOT, a/k/a "Kenny," a/k/a "Ralphy," SHAKUR CULBERT, a/k/a "Chase," ALVIN FERNANDEZ, a/k/a "Al.P," JASON GONZALEZ, a/k/a "Why," MALCOLM RIVERA, a/k/a "Boyy," MIKE SILVA, a/k/a "Cuba," DANIEL SILVA, MAXWELL SMITH, a/k/a "Max," a/k/a "Max Payne," MARLON WATSON, a/k/a "Menace," a/k/a "Tega," a/k/a "Black," a/k/a "King," and KEWAANNEE WILLIAMS, a/k/a "Kay," a/k/a "Keys," the defendants, shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, any and all property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of said offense and any and all property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, said offense, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offense that the defendants personally obtained.

Substitute Assets Provision

6. If any of the property described above as subject to forfeiture, as a result of any act or omission of the above-named defendants:

a. cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited with, a third person;

c. has been placed beyond the jurisdiction of the Court;

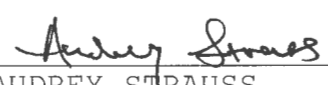
d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21 United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the above forfeitable property.

(Title 21, United States Code, Section 853.)


FOREPERSON


AUDREY STRAUSS
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

JEVAUN CHARLES, a/k/a "Bobby,"
a/k/a "O'Melly,"
ALYSHA BELTRE, a/k/a "Ally Racks,"
DEURI CARAMBOT, a/k/a "Kenny,"
a/k/a "Ralphy,"
SHAKUR CULBERT, a/k/a "Chase,"
ALVIN FERNANDEZ, a/k/a "Al.P,"
JASON GONZALEZ, a/k/a "Why,"
MALCOLM RIVERA, a/k/a "Boyy,"
MIKE SILVA, a/k/a "Cuba,"
DANIEL SILVA,
MAXWELL SMITH, a/k/a "Max,"
a/k/a "Max Payne,"
MARLON WATSON, a/k/a "Menace," a/k/a
"Tega," a/k/a "Black," a/k/a "King," and
KEWAANNEE WILLIAMS, a/k/a Kay,"
a/k/a "Keys,"

Defendants.

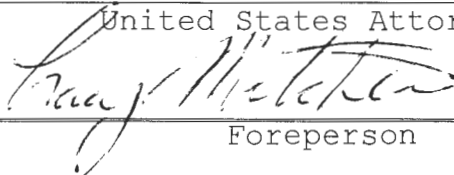
SEALED
INDICTMENT

21 Cr.

(18 U.S.C. §§ 924(c) and 2; 21 U.S.C. §
846.)

AUDREY STRAUSS

United States Attorney.



Foreperson

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

UNITED STATES OF AMERICA	:	
	:	
- v. -	:	SEALED
	:	<u>SUPERSEDING INDICTMENT</u>
	:	
ISRAEL GARCIA,	:	
a/k/a "Shorty Rock,"	:	S1 21 Cr. 412
JEVAUN CHARLES,	:	
a/k/a "Bobby,"	:	
a/k/a "O'Melly,"	:	
ALYSHA BELTRE,	:	
a/k/a "Ally Racks,"	:	
DEURI CARAMBOT,	:	
a/k/a "Kenny,"	:	
a/k/a "Ralphy,"	:	
SHAKUR CULBERT,	:	
a/k/a "Chase,"	:	
ALVIN FERNANDEZ,	:	
a/k/a "Al.P.,"	:	
JASON GONZALEZ,	:	
a/k/a "Why,"	:	
MALCOLM RIVERA,	:	
a/k/a "Boyy,"	:	
MIKE SILVA,	:	
a/k/a "Cuba,"	:	
DANIEL SILVA,	:	
MAXWELL SMITH,	:	
a/k/a "Max,"	:	
a/k/a "Max Payne,"	:	
MARLON WATSON,	:	
a/k/a "Menace,"	:	
a/k/a "Tega,"	:	
a/k/a "Black,"	:	
a/k/a "King," and	:	
KEWAANNEE WILLIAMS,	:	
a/k/a "Kay,"	:	
a/k/a "Keys,"	:	
	:	
Defendants.	:	
-----X		

COUNT ONE
(Narcotics Conspiracy)

The Grand Jury charges:

1. From at least in or about 2010, up to and including June 2021, in the Southern District of New York and elsewhere, ISRAEL GARCIA, a/k/a "Shorty Rock," JEVAUN CHARLES, a/k/a "Bobby," a/k/a "O'Melly," ALYSHA BELTRE, a/k/a "Ally Racks," DEURI CARAMBOT, a/k/a "Kenny," a/k/a "Ralphy," SHAKUR CULBERT, a/k/a "Chase," ALVIN FERNANDEZ, a/k/a "Al.P," JASON GONZALEZ, a/k/a "Why," MALCOLM RIVERA, a/k/a "Boyy," MIKE SILVA, a/k/a "Cuba," DANIEL SILVA, MAXWELL SMITH, a/k/a "Max," a/k/a "Max Payne," MARLON WATSON, a/k/a "Menace," a/k/a "Tega," a/k/a "Black," a/k/a "King," and KEWAANNEE WILLIAMS, a/k/a "Kay," a/k/a "Keys," the defendants, and others known and unknown, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that ISRAEL GARCIA, a/k/a "Shorty Rock," JEVAUN CHARLES, a/k/a "Bobby," a/k/a "O'Melly," ALYSHA BELTRE, a/k/a "Ally Racks," DEURI CARAMBOT, a/k/a "Kenny," a/k/a "Ralphy," SHAKUR CULBERT, a/k/a "Chase," ALVIN FERNANDEZ, a/k/a "Al.P," JASON GONZALEZ, a/k/a "Why," MALCOLM RIVERA, a/k/a "Boyy," MIKE SILVA, a/k/a "Cuba," DANIEL SILVA, MAXWELL SMITH, a/k/a "Max," a/k/a "Max

Payne," MARLON WATSON, a/k/a "Menace," a/k/a "Tega," a/k/a "Black," a/k/a "King," and KEWAANNEE WILLIAMS, a/k/a "Kay," a/k/a "Keys," the defendants, and others known and unknown, would and did distribute and possess with intent to distribute controlled substances, in violation of Title 21, United States Code, Section 841(a)(1).

3. The controlled substances that ISRAEL GARCIA, a/k/a "Shorty Rock," JEVAUN CHARLES, a/k/a "Bobby," a/k/a "O'Melly," ALYSHA BELTRE, a/k/a "Ally Racks," DEURI CARAMBOT, a/k/a "Kenny," a/k/a "Ralphy," SHAKUR CULBERT, a/k/a "Chase," ALVIN FERNANDEZ, a/k/a "Al.P," JASON GONZALEZ, a/k/a "Why," MALCOLM RIVERA, a/k/a "Boyy," MIKE SILVA, a/k/a "Cuba," DANIEL SILVA, MAXWELL SMITH, a/k/a "Max," a/k/a "Max Payne," MARLON WATSON, a/k/a "Menace," a/k/a "Tega," a/k/a "Black," a/k/a "King," and KEWAANNEE WILLIAMS, a/k/a "Kay," a/k/a "Keys," the defendants, conspired to distribute and possess with intent to distribute were: (i) 280 grams and more of mixtures and substances containing a detectable amount of cocaine base in a form commonly known as "crack cocaine," in violation of Title 21, United States Code, Section 841(b)(1)(A); (ii) mixtures and substances containing a detectable amount of heroin, in violation of Title 21, United States Code, Section 841(b)(1)(C); and (iii) mixtures and substances containing a detectable amount

of fentanyl, in violation of Title 21, United States Code, Section 841(b) (1) (C).

(Title 21, United States Code, Section 846.)

COUNT TWO

(Possession of a Firearm During a Drug Trafficking Crime)

The Grand Jury further charges:

4. Between in or about 2010 and June 2021, in the Southern District of New York and elsewhere, ISRAEL GARCIA, a/k/a "Shorty Rock," JEVAUN CHARLES, a/k/a "Bobby," a/k/a "O'Melly," ALYSHA BELTRE, a/k/a "Ally Racks," DEURI CARAMBOT, a/k/a "Kenny," a/k/a "Ralphy," SHAKUR CULBERT, a/k/a "Chase," ALVIN FERNANDEZ, a/k/a "Al.P," JASON GONZALEZ, a/k/a "Why," MALCOLM RIVERA, a/k/a "Boyy," MIKE SILVA, a/k/a "Cuba," DANIEL SILVA, MAXWELL SMITH, a/k/a "Max," a/k/a "Max Payne," MARLON WATSON, a/k/a "Menace," a/k/a "Tega," a/k/a "Black," a/k/a "King," and KEWAANNEE WILLIAMS, a/k/a "Kay," a/k/a "Keys," the defendants, during and in relation to a drug trafficking offense for which they may be prosecuted in a court of the United States, namely, the conspiracy to distribute and possess with intent to distribute controlled substances as charged in Count One of this Indictment, knowingly did use and carry a firearm, and in furtherance of such drug trafficking offense, did possess

a firearm, and did aid and abet the use, carrying, and possession of a firearm.

(Title 18, United States Code, Sections 924(c)(1)(A)(i) and 2.)

FORFEITURE ALLEGATIONS

5. As a result of committing the offense charged in Count One of this Indictment, ISRAEL GARCIA, a/k/a "Shorty Rock," JEVAUN CHARLES, a/k/a "Bobby," a/k/a "O'Melly," ALYSHA BELTRE, a/k/a "Ally Racks," DEURI CARAMBOT, a/k/a "Kenny," a/k/a "Ralphy," SHAKUR CULBERT, a/k/a "Chase," ALVIN FERNANDEZ, a/k/a "Al.P.," JASON GONZALEZ, a/k/a "Why," MALCOLM RIVERA, a/k/a "Boyy," MIKE SILVA, a/k/a "Cuba," DANIEL SILVA, MAXWELL SMITH, a/k/a "Max," a/k/a "Max Payne," MARLON WATSON, a/k/a "Menace," a/k/a "Tega," a/k/a "Black," a/k/a "King," and KEWAANNEE WILLIAMS, a/k/a "Kay," a/k/a "Keys," the defendants, shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, any and all property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of said offense and any and all property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, said offense, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offense that the defendants personally obtained.

Substitute Assets Provision

6. If any of the property described above as subject to forfeiture, as a result of any act or omission of the above-named defendants:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21 United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the above forfeitable property.

(Title 21, United States Code, Section 853.)


FOREPERSON


AUDREY STRAUSS

United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

ISRAEL GARCIA, a/k/a "Shorty Rock,"
JEVAUN CHARLES, a/k/a "Bobby,"
a/k/a "O'Melly,"
ALYSHA BELTRE, a/k/a "Ally Racks,"
DEURI CARAMBOT, a/k/a "Kenny,"
a/k/a "Ralphy,"
SHAKUR CULBERT, a/k/a "Chase,"
ALVIN FERNANDEZ, a/k/a "Al.P.,"
JASON GONZALEZ, a/k/a "Why,"
MALCOLM RIVERA, a/k/a "Boyy,"
MIKE SILVA, a/k/a "Cuba,"
DANIEL SILVA,
MAXWELL SMITH, a/k/a "Max,"
a/k/a "Max Payne,"
MARLON WATSON, a/k/a "Menace," a/k/a
"Tega," a/k/a "Black," a/k/a "King," and
KEWAANNEE WILLIAMS, a/k/a Kay,"
a/k/a "Keys,"

Defendants.

SEALED
SUPERSEDING INDICTMENT

S1 21 Cr. 412

(18 U.S.C. §§ 924(c) and 2; 21 U.S.C. §
846.)

AUDREY STRAUSS
United States Attorney.


For person

6/20/21
KCR

Filed Superseding Sealed Indictment
Arrest Warrants Issued Stamped
Page 16
USMS

Mod AO 442 (09/13) Arrest Warrant AUSA Name & Telno: Micah F. Fergenson, 212-637-2190

UNITED STATES DISTRICT COURT

for the

Southern District of New York

United States of America
v.
ALVIN FERNANDEZ,
a/k/a "A.I.P.,"

)
)
)
)
)
)
)

21 CRIM 412

Case No.

*Defendant***ARREST WARRANT**

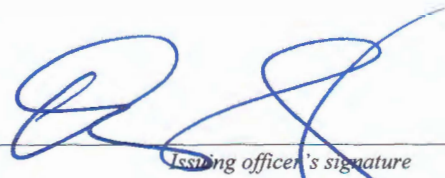
To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay
(name of person to be arrested) ALVIN FERNANDEZ, a/k/a "A.I.P.,"
who is accused of an offense or violation based on the following document filed with the court:

☒ Indictment ☐ Superseding Indictment ☐ Information ☐ Superseding Information ☐ Complaint
☐ Probation Violation Petition ☐ Supervised Release Violation Petition ☐ Violation Notice ☐ Order of the Court

This offense is briefly described as follows:

Violations of 21 U.S.C. § 846 (conspiracy to commit narcotics trafficking); 18 U.S.C. §§ 924(c)(1)(A)(i) and 2 (firearms possession during a drug trafficking crime).

Date: June 17, 2021 / OTW


Issuing officer's signature

City and state: New York, New York

Hon. Ona T. Wang, USMJ

Printed name and title

Return

This warrant was received on (date) _____, and the person was arrested on (date) _____
at (city and state) _____.

Date: _____

Arresting officer's signature

Printed name and title

MIME-Version:1.0
From:info@ord.uscourts.gov
To:nobody
Bcc:
--Case Participants: Alison M. Clark (alison_clark@fd.org, fawna_kohlleppel@fd.org, michelle_rawson@fd.org, orx_docketing@fd.org), Jaclyn Jean Jenkins (amanda.albrecht@usdoj.gov, jaclyn.jenkins@usdoj.gov)
--Non Case Participants: U.S. Marshal Service (pdx.operations@usdoj.gov), U.S. Pretrial Services (cmecf@orpt.uscourts.gov)
--No Notice Sent:

Message-Id:7515942@ord.uscourts.gov
Subject:Activity in Case 3:21-mj-00146 USA v. Fernandez Initial Appearance - Out of District Warrant
Content-Type: text/html

U.S. District Court

District of Oregon

Notice of Electronic Filing

The following transaction was entered on 7/28/2021 at 2:59 PM PDT and filed on 7/28/2021

Case Name: USA v. Fernandez

Case Number: 3:21-mj-00146

Filer:

Document Number: 2(No document attached)

Docket Text:

Minutes of Proceedings: Initial Appearance pursuant to Rule 5(c)(3) for Arrest in this District Offense in Another. Proceedings before Magistrate Judge Jolie A. Russo as to Alvin Fernandez held 7/28/21. Proceedings conducted via video-conferencing. Defendant verbally consents to appearance by video-conference. Order Appointing Counsel: Alison M. Clark. Defendant advised of rights. Defendant waived preliminary/identity hearing in this district. Order: Defendant committed to the S. Dist./NY at NYC for further proceedings. Counsel Present for Plaintiff: Jaclyn Jenkins. Counsel Present for Defendant: Alison Clark. Restraint Order: NR. (Court Reporter: Kellie Humiston) (gm)

3:21-mj-00146-1 Notice has been electronically mailed to:

Alison M. Clark alison_clark@fd.org, fawna_kohlleppel@fd.org, michelle_rawson@fd.org, orx_docketing@fd.org

Jaclyn Jean Jenkins jaclyn.jenkins@usdoj.gov, amanda.albrecht@usdoj.gov

3:21-mj-00146-1 Notice will not be electronically mailed to:

UNITED STATES DISTRICT COURT

for the
District of Oregon

United States of America

v.

ALVIN FERNANDEZ,
a/k/a "Al.P"

Defendant

Case No. 3:21-mj-00146

Charging District's Case No. 1:21-cr-00412-JSR

WAIVER OF RULE 5 & 5.1 HEARINGS
(Complaint or Indictment)I understand that I have been charged in another district, the *(name of other court)* Southern District of New York

I have been informed of the charges and of my rights to:

- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) production of the warrant, a certified copy of the warrant, or a reliable electronic copy of either;
- (4) a preliminary hearing to determine whether there is probable cause to believe that an offense has been committed, to be held within 14 days of my first appearance if I am in custody and 21 days otherwise, unless I have been indicted beforehand.
- (5) a hearing on any motion by the government for detention;
- (6) request a transfer of the proceedings to this district under Fed. R. Crim. P. 20, to plead guilty.

I agree to waive my right(s) to:

- ☐ an identity hearing and production of the warrant.
- ☐ a preliminary hearing.
- ☐ a detention hearing.

☒ an identity hearing, production of the warrant, and any preliminary or detention hearing to which I may be entitled in this district. I request that any preliminary or detention hearing be held in the prosecuting district, at a time set by that court.

I consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

Date:

7/28/2021

ALVIN FERNANDEZ (signed at request, by
counsel in lock up 7/28/21)

Defendant's signature



Signature of defendant's attorney

ALISON M. CLARK

Printed name of defendant's attorney

UNITED STATES DISTRICT COURT

for the

District of Oregon

United States of America)

v.)

ALVIN FERNANDEZ,)
a/k/a "Al.P")

Defendant)

Case No. 3:21-mj-00146

Charging District's

Case No. 1:21-cr-00412-JSR

COMMITMENT TO ANOTHER DISTRICT

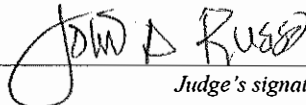
The defendant has been ordered to appear in the Southern District of New York, (if applicable) _____ division. The defendant may need an interpreter for this language: _____.

The defendant: ☐ will retain an attorney.
☒ is requesting court-appointed counsel.

The defendant remains in custody after the initial appearance.

IT IS ORDERED: The United States marshal must transport the defendant, together with a copy of this order, to the charging district and deliver the defendant to the United States marshal for that district, or to another officer authorized to receive the defendant. The marshal or officer in the charging district should immediately notify the United States attorney and the clerk of court for that district of the defendant's arrival so that further proceedings may be promptly scheduled. The clerk of this district must promptly transmit the papers and any bail to the charging district.

Date: 7/28/2021


Judge's signature

The Honorable Jolie A. Russo, U.S. Magistrate Judge

Printed name and title